

REMARKS

Claims 1, 2 and 5 have been amended to address the informalities pointed out by the Examiner and to more clearly define the invention. The specification has been amended in paragraphs [0013], [0014] and [0025] to make it clear that Fig. 1 describes a prior art construction in which the bolt face is an integral part of the breech block and slide, as previously indicated in a Preliminary Amendment. The only instance where counsel does not agree with an alleged “informality” is on page 5, line 12 of the PCT (corresponding to paragraph [0026], line 4 in the U.S. application).

The extractor is correctly characterized as “not shown” in prior art Fig. 1, whereas it is shown by reference number 38 in the Figs. 3, 4 and 5 describing applicant’s invention. There it acts as the retaining means for the bolt face insert (paragraph [0010], line 7).

Rejection under 35 U.S.C. 112

Claims 1-4 were rejected under Section 112 as indefinite. In claim 1, the phrase “characterized in that” followed PCT practice (Rule 63), which applicant’s counsel prefers in this case. In order to advance the prosecution, the phrase “characterized in that” has been replaced by “wherein”. It is intended that the subsequent part of the claim recite limitations highlighting the inventive features and “stating concisely the technical features which, in combination with the features” in the preamble it is desired to protect.

Proper antecedents have been provided, including correction of “ejection” chamber to read “extraction” chamber in the preamble of claim 1. Reconsideration of the rejection of claims 1-4 under 35 U.S.C. 112 is respectfully requested.

Rejection under 35 U.S.C. 102(b)

Claims 1-5 were rejected as anticipated by U.S. Patent 4,615,132 – Smith, who discloses a semiautomatic firearm with reciprocating breechblock slide B. A replaceable breechblock insert F holds a cartridge extractor M and includes a longitudinal passage holding a firing pin S. The insert F is held in the slide by the rear sight N.

In the applicant's firearm, a solid breechblock and slide 12 have a longitudinal passage 46 holding a firing pin 22. A bolt face insert 32 with a semicircular run 56 fits in a semicircular groove 70 in the end of the solid breech block portion of the slide and is retained in place by the extractor 38 (See Fig. 5).

While the application and Smith both aim to have a replaceable insert for altering a semiautomatic firearm with reciprocating slide so as to accept different caliber cartridges, the structures for doing this are quite different. Smith uses a longitudinal insert F shown in detail in Figs. 9 through 13. The firing pin is held and actuated in a longitudinal passage extending through insert F. Furthermore, insert F holds the extractor M. (Col. 1, lines 3, 4 and claim 1, lines 3 and 4). The insert F is retained in place by the rear sight (col. 1, lines 45-50 and claim 1, lines 6 to end). Insert F has a breechblock side at the rear of the firearm, and appears to face only the surface B3 at the rear of the slide (col. 3, lines 3-6). Hence, there is no anticipation of claim 1, as amended.

(a) Smith does not show a breechblock portion having a longitudinal hole with a firing pin slidable in the longitudinal hole.

(b) Smith does not show a breechblock with a semicircular groove.

Counsel respectfully submits that the "longitudinal circular pocket" in slide B into which insert F is inserted (col. 3, lines 1-6) is not a semi-circular groove. The word "groove" implies a channel cut into a surface.

(c) Smith's insert F does not define a semi-circular rim adapted to fit into the above semi-circular groove. Figs. 9-12 illustrate insert F. If F1 or F2 are supposed to represent rims, these do not appear to be adapted to fit into grooves in Smith's slide.

(d) Extractor M of Smith does not retain the insert F in the slide according to applicant's claim 1 as amended. While it might prevent some sideways motion of the insert, as depicted, it would not prevent longitudinal movement. Insert F is retained in the slide B by the rear sight as explained in great detail in Smith.

As to claim 2, the longitudinal ejector slot appears to be located in the frame lower surface at B27 rather than in the bolt face insert (col. 4, lines 60-66).

As to claim 4, Smith does not show a central hole in the bolt face insert aligned with a longitudinal hole in the breechblock. Smith's hole extends the entire length of insert F and is not aligned with a hole in the breechblock.

Claim 5 has been amended to depend from claim 1, reciting the features of the bolt face insert as part of the combination rather than as a stand-alone structure.

It is submitted that there is no anticipation of claims 1-5 by Smith.

Rejection under 35 U.S.C. 102(e)

Claim 5 was rejected under 102(e) as anticipated by U.S. Patent 6,732,465 – Strayer, who shows a replaceable breech face element 60 with a semi-circular rim. A longitudinal extractor recess accommodates an extractor 52. However, the breech face element 60 does not fit into a semi-circular groove in the slide to be retained by the extractor. Rather, it is retained by a screw 80 having a central bore therethrough to receive the firing pin (Fig. 3).

- (a) Strayer does not appear to show a semi-circular groove in the breechblock that receive a semi-circular rim on the replaceable insert.
- (b) Strayer does not show a retractor arranged to retain the insert in the slide. The insert is specifically retained by screw 80. This is the main thrust of Strayer's patent.
- (c) The bolt face insert 60 (Figs. 6 & 7) does not define an extractor groove through the rim extending perpendicular to the axis. Hole 78 extends parallel to the axis.

Reconsideration is respectfully requested of the rejection of claims 1-5 as anticipated by either Smith or Strayer. The specific limitations in the claims that have been identified above are not found in the references.

The reference to Schuerman – 4,920,677 has been reviewed and found to be inapplicable to the claims.

The applicant's readily replaceable bolt face represents a meritorious advance in the art for converting semiautomatic firearms of the type described to accommodate different caliber size cartridges at minimum expense.

Applicants believe no fees are due with the filing of this Amendment; however, if it is determined that a fee is required, please charge our Deposit Account No. 13-0235, maintained by Applicant's attorney.

Respectfully submitted,

By /William C. Crutcher/
William C. Crutcher
Registration No. 19,279
Attorney for Applicant(s)

McCormick, Paulding & Huber LLP
CityPlace II, 185 Asylum Street
Hartford, CT 06103-3402
Phone: (860) 549-5290